

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
E/S Manor Avenue, 55 ft. N of c/l of Steel Avenue
2611 Manor Avenue
15th Election District
7th Councilmanic District
Jerald H. Windes, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-423-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) with a height of 22 ft., in lieu of the maximum permitted 15 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of June, 1992 that the Petition for a Zoning Variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) with a height of 22 ft., in lieu of the maximum permitted 15 ft., in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(110) 887-1286

June 3, 1992

Mr. and Mrs. Jerald H. Windes
2611 Manor Avenue
Baltimore, Maryland 21219

RE: Petition for Residential Zoning Variance
Case No. 92-423-A

Dear Mr. and Mrs. Windes:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
encl.

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.3 of the Baltimore County Zoning Regulations to allow an accessory (detached garage) with a height of 22 ft. in lieu of the maximum permitted 15 ft.

of the Zoning Regulations of Baltimore County for the following reasons: (Indicate hardship or practical difficulty)

I will be putting a barn style roof on the garage exceeding the 15' limit to 22'. The reason for this extra height is we have no basement and need more storage space.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State Zip Code

Address for Petitioner:

(Type or print name)

(Signature)

Address

City

State Zip Code

Name, address and phone number of owner, tenant, purchaser or representative to be contacted.

Address

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Your petition has been received and accepted for filing this
1st day of May, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Jerald H. Windes, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: May 13, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - 5/11/92

The Office of Planning and Zoning has no comments on the following petitions:

Jerald & Brenda Windes - Item 453 ✓
Daniel & Susan Gutkin - Item 454
Donald & Anne Kahn - Item 455
Ronald W. Bair - Item 457
William & Mary Jane Kramer - Item 459
Douglas & Judith Celmer - Item 460

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

5.11.92.txt
Petitns.txt

RECEIVED
MAY 19 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: Mr. J. Lawrence Pilson
Development Coordinator DEPRM

SUBJECT: Zoning Item #453
2611 Manor Road
Zoning Advisory Committee Meeting May 11, 1992

DATE: May 14, 1992

The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

JLP:sp

JABLON/S/TXTSBP

RECEIVED
MAY 19 1992
ZONING OFFICE

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

MAY 13, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JERALD H. WINDES AND BRENDA D. WINDES
Location: #2611 MANOR ROAD
Item No.: 453 (JJS) Zoning Agenda: MAY 11, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Noted and Approved*
Planning Section
Special Inspection Division

Noted and Approved
Fire Prevention Bureau

JP/KEK

RECEIVED
MAY 14 1992
ZONING OFFICE

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature: *Rachel J. Family* Date: 5/18/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership	450	N/C	5-11-92
DED DEPRM RP STP TE			
Orville Jones	451	N/C	
DED DEPRM RP STP TE			
Harbor Realty Partnership	452	N/C	
DED DEPRM RP STP TE			
Jerald H. And Brenda D. Windes	453	N/C	
DED DEPRM RP STP TE			
Daniel C. And Susan E. Gutkin	454	N/C	
DED DEPRM RP STP TE			
Donald And Anne Kahn	455	N/C	
DED DEPRM RP STP TE			
Signet Bank, Maryland	456	N/C	
DED DEPRM RP STP TE			
Ronald W. Bair	457	N/C	
DED DEPRM RP STP TE			
A. Eric And Esther J. Dott	458	N/C	
DED DEPRM RP STP TE			
William J. And Mary Jane Kramer	459	N/C	
DED DEPRM RP STP TE			
Douglas B. And Judith A. Celmer	460	N/C	
DED DEPRM RP STP TE			

COUNT 11

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature: *Dennis H. Morsey* Date: 5/18/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership	450		5-11-92
DED DEPRM RP STP TE			NC
Orville Jones	451		NC
DED DEPRM RP STP TE			NC
Harbor Realty Partnership	452		NC
DED DEPRM RP STP TE			NC
Jerald H. And Brenda D. Windes	453		NC
DED DEPRM RP STP TE			NC
Daniel C. And Susan E. Gutkin	454		NC
DED DEPRM RP STP TE			NC
Donald And Anne Kahn	455		NC
DED DEPRM RP STP TE			NC
Signet Bank, Maryland	456		NC
DED DEPRM RP STP TE			NC
Ronald W. Bair	457		NC
DED DEPRM RP STP TE			NC
A. Eric And Esther J. Dott	458		NC
DED DEPRM RP STP TE			NC
William J. And Mary Jane Kramer	459		NC
DED DEPRM RP STP TE			NC
Douglas B. And Judith A. Celmer	460		NC
DED DEPRM RP STP TE			NC

COUNT 11

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature: *John H. Pilson* Date: 5/18/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
9690 Deereco Road Limited Partnership	450		5-11-92
DED DEPRM RP STP TE			No Comment
Orville Jones	451		No Comment
DED DEPRM RP STP TE			No Comment
Harbor Realty Partnership	452		No Comment
DED DEPRM RP STP TE			No Comment
Jerald H. And Brenda D. Windes	453		No Comment
DED DEPRM RP STP TE			No Comment
Daniel C. And Susan E. Gutkin	454		No Comment
DED DEPRM RP STP TE			No Comment
Donald And Anne Kahn	455		No Comment
DED DEPRM RP STP TE			No Comment
Signet Bank, Maryland	456		No Comment
DED DEPRM RP STP TE			No Comment
Ronald W. Bair	457		No Comment
DED DEPRM RP STP TE			No Comment
A. Eric And Esther J. Dott	458		No Comment
DED DEPRM RP STP TE			No Comment
William J. And Mary Jane Kramer	459		No Comment
DED DEPRM RP STP TE			No Comment
Douglas B. And Judith A. Celmer	460		No Comment
DED DEPRM RP STP TE			No Comment

COUNT 11

111 West Chesapeake Avenue
Towson, MD 21201

MAY 7, 1992

(410) 887-3353

Jerald H. and Brenda D. Windes
2611 Manor Avenue
Baltimore, Maryland 21219

Re: CASE NUMBER: 92-423-A
LOCATION: 4/3 Manor Road, 55' W of c/l Steel Avenue
2611 Manor Road
15th Election District - 7th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 17, 1992. The closing date is June 1, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

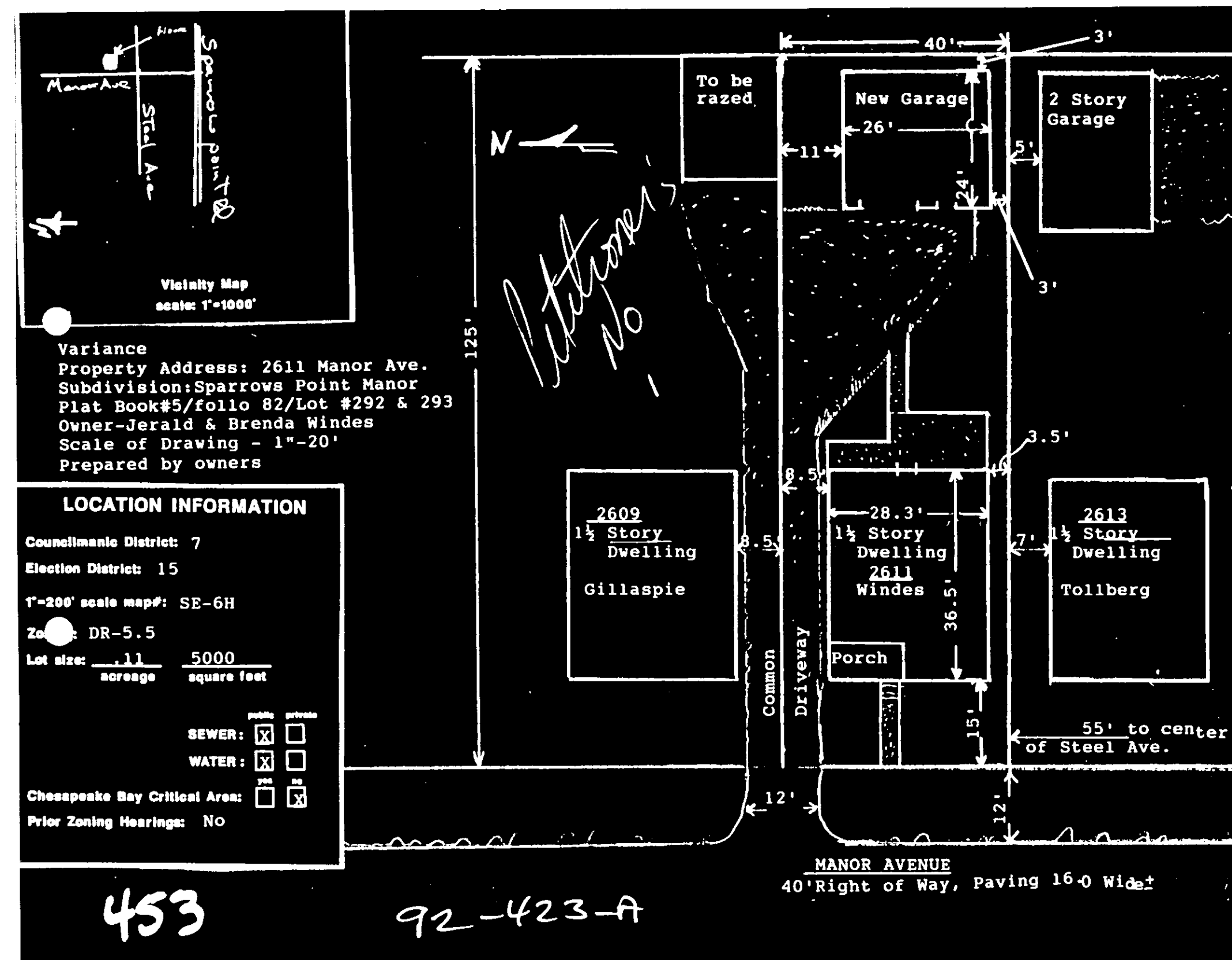
453

We, the undersigned understand that Jerald & Brenda Windes of 2611 Manor Ave., are going to raze their shed. The county code states that you can only build something that is 15' in height and that Jerald & Brenda Windes are planing to build a garage which will be 22' in height.

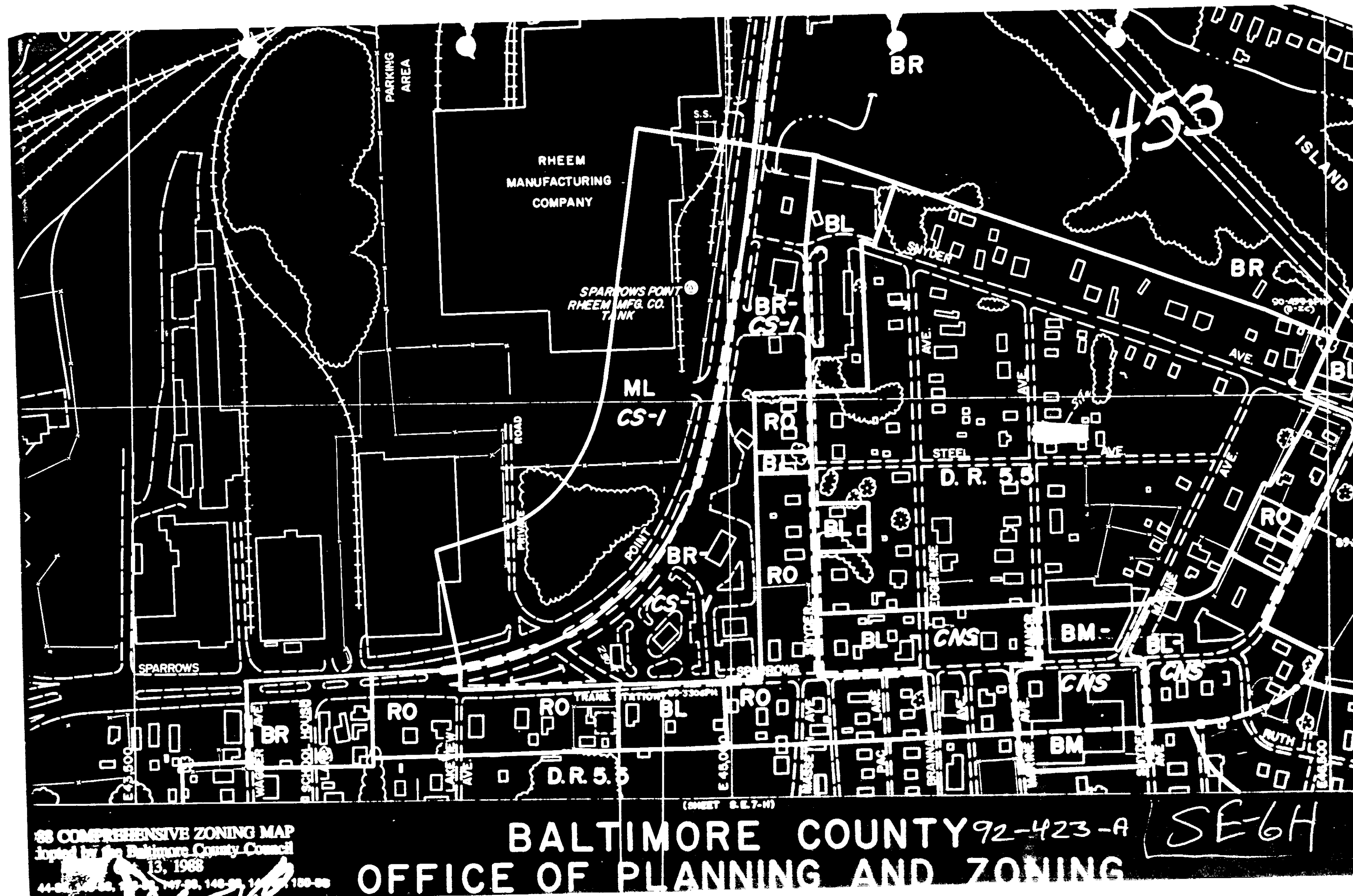
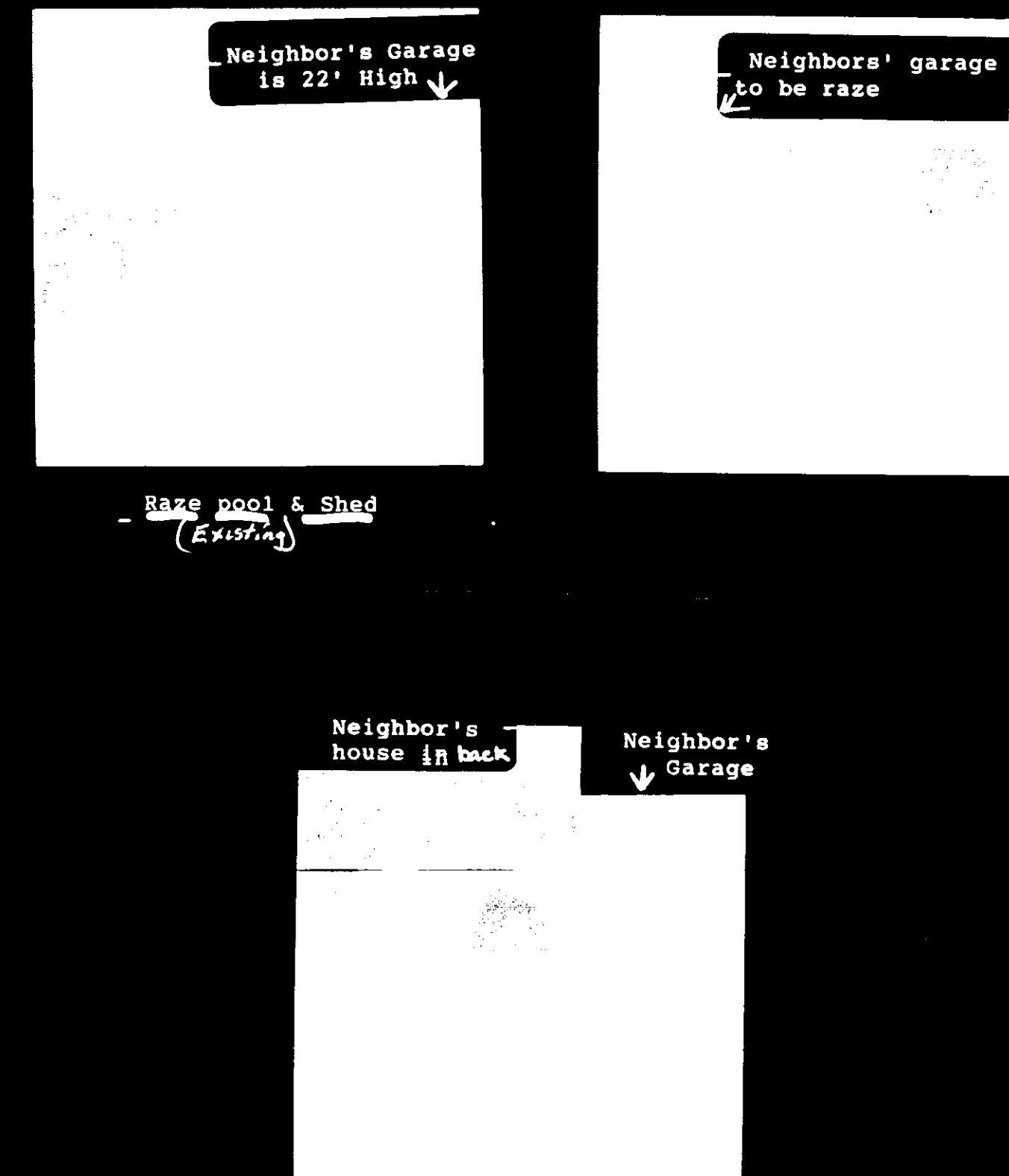
92-423-A

We do not have objections to the increase in height.

Name: Jerry A. Gillaspie Name: Barbara Giesch
Address: 2609 Manor Ave Address: 2612 Steel Ave
Name: Walter Paul Neely Name: _____
Address: 2613 Manor Ave Address: _____
Name: Michael Lusk Giesch Name: _____
Address: 2614 Manor Ave Address: _____
Name: Mr. John Giesch Name: _____
Address: 2607 Manor Ave Address: _____
Name: John Giesch Name: _____
Address: 2608 Manor Ave Address: _____
Name: John Morris Name: _____
Address: 2606 Manor Ave Address: _____
Name: Paul W. Kline Name: _____
Address: 2602 Manor Ave Address: _____



92-423-A





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
EDGEMERE
LODGE FOREST

453
SHEET
S.E.
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92-423-A